

105TH CONGRESS
1ST SESSION

H. R. 2155

To authorize continuation of a nationwide permit for discharges of dredged or fill materials into headwaters and isolated waters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1997

Mr. NEUMANN introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To authorize continuation of a nationwide permit for discharges of dredged or fill materials into headwaters and isolated waters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. RULE TO CONTINUE WITHOUT MODIFICATION;**

4 **MULTIPLE PERMITS ALLOWED.**

5 (a) RULE TO CONTINUE.—Part 330 of title 33, Code
6 of Federal Regulations, including appendix A of such part,
7 shall continue as in effect on December 12, 1996, without
8 expiration notwithstanding section 404 of the Federal
9 Water Pollution Control Act (33 U.S.C. 1344(e)(2)), to
10 the extent that such rules relate to nationwide permit 26.

1 (b) RULE TO HAVE NO FORCE OR EFFECT.—The
2 rule published in the Federal Register on December 13,
3 1996 (61 Fed. Reg. 65874 through 65922), shall have no
4 force or effect to the extent that such rule purports to
5 relate to nationwide permit 26.

6 (c) MODIFICATION PROHIBITED.—The Secretary of
7 the Army shall not issue any rule which modifies or re-
8 scinds part 330 of title 33, Code of Federal Regulations,
9 including appendix A of such part, as it relates to nation-
10 wide permit 26. Any rule issued in violation of this sub-
11 section shall have no force or effect as to nationwide per-
12 mit 26.

13 (d) MULTIPLE PERMITS ALLOWED.—Permits issued
14 under nationwide permit 26, as described in subsection
15 (a), may be combined and issued in conjunction with other
16 general permits to the extent that such multiple general
17 permits do not cause more than minimal adverse effects
18 to the environment. Activities that do not qualify for ap-
19 proval under nationwide permit 26, as provided in sub-
20 section (a), may be authorized by one or more other gen-
21 eral permits.

22 (e) DEFINITIONS.—For the purposes of this section,
23 any term not expressly defined in this Act shall have the

- 1 meaning given that term in regulations issued by the Sec-
- 2 retary of the Army.

